

4-805. Application for writ of garnishment.

[1-065.2, 3-802]

STATE OF NEW MEXICO

IN THE _____ COURT
_____ COUNTY

_____, Plaintiff,

v.

No. _____

_____, Defendant.

APPLICATION FOR WRIT OF GARNISHMENT

_____ the judgment creditor, states the following:

- (1) The judgment creditor has a judgment dated _____ against the judgment debtor whose name is _____, and whose last known address is _____. The total of the principal, interest, costs and attorney's fees awarded by the judgment was \$_____.
Since the judgment was entered, additional interest at the judgment rate of _____ % and costs totals \$_____.
Payments totaling \$_____ have been received.
The unpaid balance now due is \$_____ (*Insert this amount on Civil Form 4-806 NMRA as "Balance Due upon Application for Writ."*) plus interest from the date this Application is executed. Under the statute, costs of 10% and fees of up to 10% may be allowed.
The estimated costs would equal \$_____; and the judgment creditor will seek \$_____ in attorney fees.
- (2) Judgment debtor, to my knowledge, does not have sufficient property within New Mexico subject to execution to satisfy the judgment. (*This allegation is not necessary prior to garnishment of funds for child support or alimony obligations.*)
- (3) I have reason to believe, and do believe, that the garnishee, _____ (*name of garnishee*) _____ (*address*), holds or controls money or personal property which belongs to the judgment debtor or is indebted to the judgment debtor. The money or property held by the garnishee is not exempt from garnishment.

Therefore judgment creditor requests a Writ of Garnishment.

Judgment creditor or
attorney for judgment creditor

Judgment creditor's name printed

Address of judgment creditor

Printed name of person signing
for judgment creditor

Telephone of judgment creditor

Printed name of judgment creditor's attorney
(if any)

Mailing address of judgment creditor's attorney
(number and street or P.O. box)

City, state, zip code

Telephone number of judgment creditor's attorney

AFFIDAVIT

*(application must be sworn to
unless signed by an attorney)*

Subscribed and sworn to before me this _____ day of
_____, _____.

Notary or other officer authorized
to administer oaths

(seal)

[As amended, effective June 15, 1986; January 1, 1987; July 1, 1992; January 1, 1996; as

amended by Supreme Court Order No. 09-8300-024, effective September 4, 2009.]